

REMARKS/ARGUMENTS

Claims 1-35 are pending in the application. Favorable reconsideration is respectfully requested in light of the following Remarks.

1. Election/Restriction

With respect to the Restriction Requirement, Applicant provisionally elects Group I, Claims 1, 5-9, 13-15, 17, 20, 21, 26, 30 and 33, drawn to portfolio analysis and decision making using an efficient frontier, imposing a sequence of constraints, executing Pareto filters, and the resulting solution subset being used in investment decisions. The election is made with traverse.

MPEP §803 states that “[t]here are two criteria for a proper requirement for restriction between patentably distinct inventions:

(A) The inventions must be independent (see *MPEP §802.01*; *§806.06*, *§808.01*) or distinct as claimed (see *MPEP §806.05 - §80806.05(j)*); and

(B) There would be a serious burden on the examiner if restriction is not required (see *MPEP §803.02*, *§808*, and *§808.02*).”

MPEP §803 further states that “a serious burden on the examiner may be *prima facie* shown by appropriate explanation of separate classification, or separate status in the art, or a different field of search as defined in *MPEP §808.02*.”

Applicant asserts that the election requirement is inappropriate because at least one of the criteria has not been satisfied. Specifically, Applicant respectfully submits that the search and examination of Groups I, II and III can be made without serious burden on the Examiner.

According to the Restriction Requirement, Group I is directed to a method including the step of executing a sequence of Pareto filters in a user-specified order on regions of a lower dimensional portfolio performance space having fewer dimensions than the original portfolio performance space to produce a resulting solution subset having a fewer number of points than the initial solution subset, the resulting solution subset being used in investment decisioning.

Group II recites a computer readable medium in which the fourth portion applies additional user-specified constraints to the resulting solution subset using the method substantially similar to Group I to produce a final selection, the final selection being used in investment decisioning.

Group III recites a method substantially similar to the method of Group I and further includes the steps of:

applying portfolio configuration metrics based on a plurality of asset allocations in a portfolio; and

comparing portfolio configuration metrics between a plurality of portfolios.

Applicant respectfully submits that the Restriction Requirement does not make a *prima facie* showing because Groups I, II and III are all classified in Class 705, Subclass 36R, as correctly pointed out in the Restriction Requirement. Thus, by its own admission, the Restriction Requirement does not pose a serious burden on the Examiner and should be withdrawn to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

In view of the foregoing, this election is made with traverse. Favorable reconsideration of the Restriction/Election requirement is respectfully requested.

Should the Examiner believe anything further would be desirable in order to place the application in better condition for allowance; the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 07-0868 in the name of General Electric Company.

Appl. No. 10/781,871

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Respectfully submitted,

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